

1 **ARTICLE I**
2 **GENERAL**
3

4 **SECTION 28 – 101 TITLE**
5

6 These regulations shall be known and may be cited as the ZONING CODE OF THE TOWN OF
7 EASTON. The Code includes both the text of the regulations and the Official Zoning Map which
8 is located in the Office of the Town Planner, Town Office, Easton, Maryland.
9

10 **SECTION 28 – 102 LEGISLATIVE AUTHORITY**
11

12 These regulations are established in accordance with the provisions of the Maryland Land Use
13 Article of the Annotated Code of Maryland.
14

15 **SECTION 28 – 103 STATEMENT OF LEGISLATIVE INTENT**
16

- 17 A. These regulations are adopted with the intent that they will implement the policies of
18 the Comprehensive Plan; will control congestion in the streets; will secure the public
19 safety; will promote health and the general welfare; will provide adequate light and air;
20 will promote the conservation of natural resources; will prevent undue concentration
21 of population; and will facilitate the adequate provision of transportation, water,
22 sewerage, schools, recreation, soil conservation, landscaping, parks, and other public
23 facilities and services. In addition, this Code is intended to:
24
- 25 1. help accomplish the coordinated, adjusted, and harmonious development of the
26 Town and its environs in accordance with present and future needs;
27
 - 28 2. promote health, safety, morals, order, convenience, prosperity, and general
29 welfare; including among other things, adequate provisions for traffic, the
30 promotion of public safety, adequate provision for light and air, conservation
31 of natural resources, the prevention of environmental pollution, and the
32 promotion of the healthful and convenient distribution of population;
33
 - 34 3. encourage and, where necessary, require land use development and uses which
35 exemplify good civic design and arrangement and the stewardship of the
36 Chesapeake Bay and the land as a universal ethic;
37
 - 38 4. encourage the conservation of resources, including a reduction in resource
39 consumption;
40
 - 41 5. locate development in locations suitable for it given existing and reasonably
42 foreseeable development; and
43

1 6. encourage appropriate and sustainable economic growth.
2

- 3 B. These regulations are made with reasonable consideration of, among other things, the
4 character of the Town; the suitability of its various areas for particular uses; the desire
5 to enhance the value of buildings and encourage the orderly development; and the most
6 appropriate use of land throughout the jurisdiction.
7

8 **SECTION 28 – 104 JURISDICTION**
9

10 These regulations shall apply to all properties within the corporate limits of the Town of Easton,
11 Maryland.
12

13 **SECTION 28 – 105 SEPARABILITY CLAUSE**
14

15 Other than as noted in this section, if any section or provision of this Code is declared by the courts
16 to be unconstitutional or invalid, such decision shall not affect the validity of the Code as a whole,
17 or any part thereof other than the part so declared to be unconstitutional or invalid. However, if
18 any court declares any portion of any provision of this Code relating to any planned redevelopment
19 and/or floating zone district (§ 28 – 501, § 28 – 701, § 28 – 801) unconstitutional or invalid, such
20 decision shall render the entire section invalid and the uses permitted hereunder as floating zone
21 uses shall not be permitted in the Town unless and until such unconstitutionality or invalidity has
22 been corrected by legislative action by the Town Council.
23

24 **SECTION 28 – 106 EFFECTIVE DATE AND DISPOSITION OF PENDING MATTERS**
25

- 26 A. The provisions of this Code were adopted on 02/21/06 [REDACTED] and became
27 effective on 03/15/06 [REDACTED]. Ordinance Number 396 [REDACTED] (previous Zoning
28 Ordinance) and all amendments thereto shall as of the effective date of this Code be of
29 no further effect or validity, except as to the extent that specific continuing rights are
30 granted by the terms of this Zoning Code. Except as expressly provided in the
31 remaining provisions of this Section, this Code shall take effect and be enforced
32 immediately upon its passage.
33
34 B. Construction may be begun and/or completed under the terms of a building permit
35 issued prior to the effective date of this Section, if such permit was in force and fully
36 valid on that date. Such construction is subject to (1) all terms of the permit, (2) the
37 Code under which it was issued and (3) if applicable, the provisions of Subsection D
38 below.
39
40 C. Any of the following matters filed prior to the effective date of this Section shall be
41 processed and/or decided in accordance with the Code in effect on the date on which
42 the particular matter was filed:
43

1. Applications for a building permit for the construction and/or modification of a single-family home;
2. Applications for subdivision approval, if such application received preliminary approval by the Planning and Zoning Commission prior to the effective date of this Code;
3. Applications for site plan approval, if such application received preliminary approval prior to the effective date of this Code;
4. Any planned redevelopment or floating zone map amendment application which has received approval from the Town Council but has not received final site plan and/or subdivision approval from the Planning and Zoning Commission

D. A project may be begun and/or completed in accordance with preliminary site plan approval given prior to the effective date of this Code or in accordance with Subsection 28 – 106 C (3), under the terms of the Code governing such approval. However, any such approval shall expire at the later of (a) two years from the effective date of this Section or (b) two years from the date of such final approval. On written application of the owner prior to the time of such expiration, the Planning and Zoning Commission may grant an extension for a specified period of not more than two years from the expiration date provided in this Subsection. The Planning and Zoning Commission shall not grant an extension unless it finds that the owner has not effectively abandoned the project, such as, for example, where construction has not been completed for reasons beyond the control of the owner and his contractors and agents.

E. With respect to any building permit or pending matters referred to in Subsections B, C, and D above, nothing in this Section shall be construed (a) to affect the status of any use or structure involved in any such permit, application, approval or pending matter as a nonconforming use or structure under this Code; (b) to extend, enlarge or otherwise affect the provisions of any prior Code relating to the duration, expiration or termination of any such permit, application, approval or pending matter; or (c) to revive or give any other effect to any permit, application, approval or pending matter which has been, or is hereafter deemed to be, abandoned or terminated under the provisions of this Code or any prior Code which is applicable.

SECTION 28 – 107 OFFICIAL ZONING MAP

A. The incorporated areas of the Town are hereby divided into zones, as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Code.

- 1 B. The Official Zoning Map shall be identified by the signature of the Mayor and Council
2 attested by the Town Clerk, and bearing the seal of the Town under the following
3 words: "This is to certify that this is the Official Zoning Map referred to in Section 28
4 – 107 of the Zoning Code of the Town of Easton, Maryland," together with the date of
5 the adoption of this Code.
6
7 C. No changes of any nature shall be made in the Official Zoning Map or matter shown
8 thereon except in conformity with the procedures set forth in this Code. Any
9 unauthorized change of whatever kind by any person or persons shall be considered a
10 violation of this Code and punishable as provided under Section 28 – 1308 of this Code.
11
12 D. Regardless of the existence of purported copies of the Official Zoning Map which may
13 from time to time be made or published, the Official Zoning Map, which shall be
14 located in the office of the Town Planner, shall be the final authority as the current
15 zoning status of land and water areas, buildings, and other structures in the Town.
16

17 **SECTION 28 – 108 REPLACEMENT OF OFFICIAL ZONING MAP**

18

- 19 A. In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult
20 to interpret because of the nature or number of changes and additions, the Town
21 Council may by resolution adopt a new Official Zoning Map which shall supersede the
22 prior Official Zoning Map.
23
24 B. The new Official Zoning Map may correct drafting or other errors or omissions in the
25 prior Official Zoning Map, but no such correction shall have the effect of amending the
26 original zoning map or Code or any subsequent amendment thereof. The Planning and
27 Zoning Commission shall certify as to the accuracy of the new Official Zoning Map
28 prior to its adoption by the Mayor and Council. The new Official Zoning Map shall be
29 identified by the signatures of the Mayor and Council attested by the Town Clerk, and
30 bearing the seal of the Town under the following words: "This is to certify that this
31 Official Zoning Map supersedes and replaces the Official Zoning Map adopted (date
32 of adoption of map being replaced) as part of the Zoning Code of the Town of Easton,
33 Maryland."
34

35 **SECTION 28 – 109 OFFICIAL CRITICAL AREA OVERLAY DISTRICT MAPS**

36

- 37 A. Official Critical Area Overlay District Maps shall be prepared and maintained as part
38 of the Official Zoning Map of the Town. They shall delineate the extent of the Critical
39 Area Overlay District ("CAO") that shall correspond to the Chesapeake Bay Critical
40 Area. Within the designated Critical Area District, all land shall be assigned one of the
41 following land use management classifications: Intensely Developed Area (IDA),
42 Limited Development Area (LDA), and Resource Conservation Area (RCA). The
43 Critical Area Overlay District Maps may be amended by the Town in compliance with

1 the amendment provisions in this Code, the Maryland Critical Area Law and Critical
2 Area Criteria, contained in COMAR TITLE 27 or its successor regulations.

- 3
- 4 B. The Town may elect to adjust the Critical Area Boundary to delete areas of the Town
5 from the Critical Area Overlay District only at such times as new Official Wetland
6 Maps are adopted by the State of Maryland or an area of the Critical Area has been
7 approved for exclusion by the Critical Area Commission. The Town may also elect to
8 add areas to the Critical Area at any time. Such changes shall be treated as amendments
9 to the Critical Area Overlay District ("CAO") on the Official Critical Area Overlay
10 District Maps for the Town.

11

12 **SECTION 28 – 110 LIMITS ON THE NUMBER OF ACTIVE APPLICATIONS**

13

14 At no time may an applicant/property owner submit an application for any property for which
15 another application has been submitted and is being reviewed. In order to have a different
16 application reviewed by the Town, any applicable preceding application must either (1) expire (if
17 approved) or (2) be formally withdrawn by the applicant. These provisions shall also apply to
18 applications to subdivide land under the provisions of the Town's Subdivision Regulations. This
19 provision shall not apply to applications that are complimentary, for example a site plan review
20 and a Special Exception request.

21

22 **SECTION 28 – 111 RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES**

23

24 Where uncertainty exists as to the boundaries of zones as shown on the Official Zoning Map, the
25 following rules shall apply:

- 26
- 27 A. Boundaries indicated as approximately following the center lines of streets, highways,
28 or alleys shall be construed to follow such center lines;
- 29
- 30 B. Boundaries indicated as approximately following platted lot lines shall be construed as
31 following such lot lines;
- 32
- 33 C. Boundaries indicated as approximately following town limits shall be construed as
34 following town limits;
- 35
- 36 D. Boundaries indicated as following railroad lines shall be construed to be midway
37 between the main tracks;
- 38
- 39 E. Boundaries indicated as following shore lines shall be construed to follow such shore
40 lines, and in the event of change in the shore line shall be construed as moving with the
41 actual shore line; boundaries indicated as approximately following the center lines of
42 streams, rivers, creeks, lakes, or other bodies of water shall be construed to follow such
43 center lines;

- 1
2 F. Boundaries indicated as parallel to or extensions of features indicated in subsections 28
3 – 110 (A) through 28 – 110 (E) above shall be so construed. Distances not specifically
4 indicated on the Official Zoning Map shall be determined by the scale of the map;
5
6 G. Where a lot of one acre or less is divided by one or more zone boundary lines, and
7 where more than fifty percent of said lot lies within a more intensive use district, the
8 lot shall be considered as entirely within the more intensive use district. This provision
9 shall not be interpreted to rezone any area to a less intensive use. This provision shall
10 not apply to any lot of more than one acre, and in such cases, the provisions of each
11 zoning district shall apply.¹
12
13 H. If all rules for the interpretation of zoning boundaries as outlined above have been
14 exhausted and it is still unclear as to what the zoning classification is for a parcel or a
15 portion thereof, said zoning shall be deemed to be A-1 until such time as the Town
16 Council may affix the appropriate classification thereto. Such determination by the
17 Town Council shall be made after first referring the matter to the Planning and Zoning
18 Commission for recommendation and holding a public hearing advertised in
19 accordance with the provisions of Section 28 – 1403 of this Code.
20

21 **SECTION 28 – 112 APPLICATION OF REGULATIONS**

22

23 The regulations set by this Code within each zone shall be minimum regulations and shall apply
24 uniformly to each class or kind of structure or land, and particularly, except as hereinafter
25 provided:
26

- 27 A. No building, structure, or land shall hereinafter be used or occupied, and no building
28 or structure or part thereof shall hereafter be erected, constructed, reconstructed,
29 moved, or structurally altered internally or externally, unless in conformity with all the
30 regulations herein specified for the zone in which it is located.
31
32 B. No building or other structure shall hereafter be erected or altered:
33
34 1. to exceed the height;
35
36 2. to accommodate or house a greater number of families;
37
38 3. to occupy a greater percentage of lot area;
39
40 4. to have more narrow or smaller rear yards, front yards, side yards, or other open

¹ Note: The use of contiguous lots can have the effect of causing the lots to be considered merged for the purposes of administering the Zoning Code and the Town's Subdivision Regulations. See *Remes v. Montgomery County*, 387 MD 52 (2005).

spaces;
than herein required; or in any manner contrary to the provisions of this Code.

- C. No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Code, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building, except in accordance with Sections 28 – 1001 and 28 – 1002.
- D. No yard or lot existing at the time of passage of this Code shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Code shall meet at least the minimum requirements established by this Code.

SECTION 28 – 113 INTERPRETATIONS

For the purposes of this Code, certain terms or words used herein shall be interpreted as follows:

- A. The word person includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- B. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular; words of the masculine gender will include the feminine and the neuter gender will refer to any gender unless the context plainly indicates the contrary.
- C. The word shall is mandatory, the word may is permissive.
- D. The words used or occupied include the words intended, designed, or arranged to be used or occupied.
- E. The word lot includes the words plot or parcel.
- F. The word Town means the Town of Easton, Maryland.
- G. A building or structure includes any part thereof.
- H. Unless it is plainly evident from the context that a different meaning is intended, a regulation which involves two or more items, conditions, provisions, or events connected by the conjunction and, or, or either/or, the use of the conjunction is defined as follows:

1. And means that all the connected items, conditions, provisions and events apply together and not separately.
2. Or means that the connected items, conditions, provisions, or events apply separately or in any combination.
3. Either/or means that the connected items, conditions, provisions or events shall apply separately but not in combination.

- I. The word includes does not limit a term to the specified examples, but is intended to extend the term's meaning to all other instances or circumstances of like kind or character.

SECTION 28 – 114 DEFINITIONS

In this Code, the following specific terms are used as defined unless otherwise apparent from the context. Any term not defined below shall be deemed to have the definition ascribed to it in the most recent edition of the Oxford English Dictionary.

Abutting – Having property or zoning lines in common.

Accessory Use or Structure - A structure or use that: a) is clearly incidental to and customarily found in connection with a principal building or use; b) is subordinate to and serves a principal building or a principal use; c) is subordinate in area, extent, or purpose to the principal building or principal use served; d) contributes to the comfort, convenience, or necessity of occupants, business, or industry in the principal building or principal use served; and e) is located on the same lot as the principal building or use served.

Accessory Dwelling Unit - A second dwelling unit either in or added to an existing single-family detached dwelling, or in a separate accessory structure on the same lot as the principal dwelling, for use as a complete, independent living facility with provision within the accessory unit for cooking, eating, sanitation, and sleeping. Such a dwelling is clearly accessory to the use of the main or principal dwelling.

Addition – Newly constructed area that increases the size of a structure.

Adjacent – A property abutting or directly across a street, highway, road, alley, watercourse or right-of-way.

Adult Day Care Center – A nonresidential center that:

- a. Serves the elderly, medically handicapped adults, or victims of Alzheimer's disease and related disorders;
- b. Meets the definitions in Health-General Article, § 14-201(b) or § 14-301(b), Annotated Code of Maryland; and
- c. Is licensed by the Department of Health and Mental Hygiene under COMAR 10.12.04.

Adult Oriented Business – means any business, operation, or activity, a significant amount of which consists of:

- i. the conduct, promotion, delivery, provision, or performance of adult entertainment or material; including, but not limited to, that occurring in, at, or in connection with a cabaret, lounge, night club, modeling studio, bar restaurant, club or lodge, or other establishment; or
- ii. the sale, provision, rental, or promotion of adult entertainment or material, in any format, form, or medium, including, but not limited to, books, magazines, videos, DVDs, CDs, movies, photographs, and/or coin operated or pay-per-view viewing devices, including, but not limited to, the operation of an adult book or video store or viewing booth.

For the purposes of this definition, the term “significant” shall have the meaning set forth in § 30-1 of the Easton Town Code. Additional definitions pertinent to Adult Oriented Businesses are as follows:

Adult entertainment or material – shall have the meaning set forth in § 30-1 of the Easton Town Code.

Adult book or video store – shall have the meaning set forth in § 30-1 of the Easton Town Code.

Live Viewing Booth – means any booth, cubicle, stall or room of less than six hundred (600) square feet of floor space or area to which patrons may gain admittance, wherein the following are regularly featured:

- i. persons who appear in a state of semi-nudity; and/or
- ii. live entertainment characterized by the depiction or description of specified anatomical areas or specified sexual activities

Viewing booth – means any booth, cubicle, stall, or compartment that is designed, constructed, or used to hold or seat patrons and is used for presenting motion pictures or viewing publications by any photographic, electronic, magnetic, digital, or other means or media (including but not limited to, film, video or magnetic tape, laser disc, cd-rom, books, magazines, or periodicals) for observation by patrons

1 therein. A viewing booth shall not mean a theater, movie house, playhouse, or a
2 room or enclosure or portion thereof that contains more than 600 square feet.
3

4 **Agricultural easement** – A non-possessory interest in land which restricts the conversion
5 of use of the land, preventing non-agricultural uses.
6

7 **Agriculture, controlled-environment** – The practice of agriculture either wholly or
8 partially within a structure in which such factors as temperature, light and humidity can
9 be regulated.
10

11 **Airport** – Any area of land or water designed and set aside for the landing and take-off of
12 aircraft, including all necessary facilities for the housing and maintenance of aircraft and
13 any accessory structures or uses.
14

15 **Alley** – A public way affording a secondary means of access to the rear or sides of the lot.
16

17 **Alteration** – Any change, addition, or modification in construction or occupancy of an
18 existing structure.
19

20 **Alteration, structural** - Any change in the supporting members of a building or structure,
21 such as bearing walls, columns, beams, or girders; provided, however, that the application
22 of any exterior siding to an existing building for the purpose of beautifying and
23 modernizing shall not be considered a structural alteration.
24

25 **Ambulance Service** – A facility housing ambulance or medical emergency vehicles and
26 attendant staff, including offices and supply storage.
27

28 **Antenna** – Any exterior transmitting or receiving devices mounted on a tower, building or
29 structure and used in communications that radiate or capture electromagnetic waves, digital
30 signals, analog signals, radio frequencies (excluding radar signals), wireless
31 telecommunications signals or other communication signals.
32

33 **Assisted Living Facility** – A facility providing room, board and living assistance to
34 persons requiring assistance, but who do not require nursing home or hospital care.
35

36 **Bar and/or cocktail lounge** – (See also **Restaurant, Nightclub** and **Tavern**) Any
37 premises wherein alcoholic beverages are sold at retail for consumption on the premises
38 and minors are excluded therefrom by law. It shall not mean a premises wherein such
39 beverages are sold in conjunction with the sale of food for consumption on the premises
40 and the sale of said beverages comprises less than twenty-five (25%) percent of the gross
41 receipts.
42

1 **Bed and Breakfast Inn** - A single family owner occupied dwelling which is used for the
2 lodging of overnight guests, none of whom shall remain for more than fifteen (15)
3 consecutive nights.
4

5 **Bedroom** – A room in a dwelling unit planned and intended for sleeping separable from
6 other rooms by a door.
7

8 **Bistro** – An establishment which offers food to patrons consisting of hors d'oeuvres,
9 appetizers, small savory dishes, such as cheeses, breads, and cured meats, cold sandwiches,
10 and desserts, which shall be available at all times craft beer and wine is sold or served for
11 consumption on-premises.
12

13 **Boarding House** – An establishment with lodging where meals are regularly prepared and
14 served for compensation and where food is placed upon the table family style, without
15 service or ordering of individual portions from a menu.
16

17 **Brew pub** – A restaurant that also possesses a State of Maryland Class 7 micro-brewery
18 license or a Class 6 pub-brewery license.
19

20 **Bufferyard** – A landscaped area intended to separate and partially obstruct the view of
21 two adjacent land uses or properties from one another.
22

23 **Building area/envelope** – The area of a lot remaining after all setback lines are established.
24

25 **Building Inspector** – The governmental official of the Town of Easton charged with
26 administering the Town's Building Code and issuing building permits, or his or her
27 designee.
28

29 **Building line** – The line, parallel to the street line that passes through the point of the
30 principal building nearest the front lot line.
31

32 **Business Services** – Services rendered to a business establishment or individual on a fee
33 or contract basis including actuarial, advertising, credit reporting, janitorial, office or
34 business equipment rental or leasing, photofinishing, telecommunications, window
35 cleaning, blue-printing and photocopying, and other such services.
36

37 **Caliper** – The diameter of a tree measured at two inches above the root collar.
38

39 **Car wash** – An area of land and/or a structure with machine- or hand-operated facilities
40 used principally for the cleaning, washing, polishing, or waxing of motor vehicles.
41

42 **Catering Service** – An establishment that prepares and provides food and related services
43 to off-premises locations.

1
2 **Cemetery** – Land used or intended to be used for the burial of the dead and dedicated for
3 cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries
4 when operated in conjunction with and within the boundaries of such cemetery.
5

6 **Club** – Buildings or facilities owned or operated by a corporation, association, or persons
7 for a social, educational, or recreational purpose; but not primarily for profit or to render a
8 service that is customarily carried on as a business.
9

10 **COMAR** – The Code of Maryland Regulations, as from time to time amended, including
11 any successor provisions.
12

13 **Commercial** – When used in conjunction with a use shall mean the use is open to the
14 general public and a fee is charged by the owner, lessee, or licensee for a service or a
15 product.
16

17 **Community Center** – A place, structure, area, or other facility used for providing
18 religious, fraternal, social, and/or recreational programs generally open to the public and
19 designed to accommodate and serve significant segments of the community. Such facilities
20 may include meetings rooms, recreation rooms, dining & kitchen facilities and day care
21 centers. Such facilities are not operated primarily for profit.
22

23 **Comprehensive Plan** – The duly adopted Comprehensive Plan of the Town of Easton.
24

25 **Condominium** – An estate in real property consisting of an undivided interest in common
26 with other owners in a portion of a parcel of real property, together with a separate interest
27 in space in a building, such as an apartment or office, established pursuant to MD Real
28 Prop Code § 11-101 (2019). A condominium may include, in addition, a separate interest
29 in other portions of such real property.
30

31 **Construction Supply and Services** – A business which provides the products normally
32 associated with heavy construction and infrastructure such as sewer, water and gas pipes,
33 culverts, cable, etc. Such an establishment typically deals with contractors as opposed to
34 the general public.
35

36 **Convenience store** – Any retail establishment offering for sale prepackaged food products,
37 household items, and other goods commonly associated with the same and having a gross
38 floor area of 5,000 square feet or less.
39

40 **Cottage Court** – See Definition under Middle Housing Units.
41

42 **Cottage Food** - a non-potentially hazardous food that is sold in Maryland directly to a
consumer from a residence, at a farmer's market, at public events, or by mail delivery; or

1 directly to a retail food store. Cottage foods cannot be offered for sale through interstate
2 commerce.

3
4 **Cottage Food Business** – A business that (a) produces or packages cottage food products
5 in a residential kitchen; and (b) has annual revenues from the sale of cottage food products
6 in an amount not exceeding \$25,000, in accordance with COMAR 10.15.03.

7
8 **Courtyard Building** - See Definition under Middle Housing Units.

9
10 **Craft Beverage Manufacturing** – A facility possessing the appropriate license from the
11 State of Maryland, in which beer, wine, cider, mead, distilled spirits or other similar
12 beverages are brewed, fermented, or distilled.

13
14 **Cul-de-sac** – A local street, one end of which is closed and consists of a circular turn
15 around.

16
17 **Day Care Center, Group** – Any arrangement that provides day care for children on a
18 regular basis, with thirteen (13) or more clients including any relatives of the care provider.

19
20 **Day Care Center, Small Group** – Any arrangement that provides day care for children
21 on a regular basis, with not less than nine (9) and not more than twelve (12) clients
22 including any relatives of the care provider.

23
24 **Day Care Facility, Family** – Any arrangement that provides day care for children on a
25 regular basis for eight (8) or fewer clients including any relatives of the care provider.

26
27 **Deck** – An open-air structure above grade, but not more than thirty (30) inches above grade,
28 and immediately adjacent or attached to the principal structure.

29
30 **Density** – means the number of dwelling units per acre of gross area of a development
31 tract.

32
33 **Development** – Any activity, other than normal agricultural activities, which materially
34 affects the existing condition or use of any land, or any structure.

35
36 **Disability** – A mental or physical impairment that substantially limits one or more major
37 life activities. The meaning of “disability” extends not only to individuals who currently
38 have a disability, but to those with a record of a mental or physical impairment that
39 substantially limits one or more major life activities, or who are perceived or regarded as
40 having a mental or physical impairment that substantially limits one or more major life
41 activities. It is the intent of this Code that “disability” shall have the meaning afforded to
42 it by the Americans With Disabilities Act and regulatory and judicial interpretations of that
43 Act.

District – (See **Zone**).

Domiciliary Care – Any premise which admits aged or disabled persons for a fee to a protective environment, who, because of advanced age or physical or mental disability, are not gainfully employed.

Donation Bin – Any container or receptacle held out to the public as a place for people to drop off donated items and to store such items until they are removed.

Duplex, side-by-side and Duplex, stacked - See Definition under Middle Housing Units.

Dwelling – Any building or portion thereof occupied or intended to be occupied exclusively for residence purposes, but not including a tent or room in a hotel or motel.

Dwelling, multi-family – A building designed for or used by three (3) or more families provided that the number of families does not exceed the number of units provided. Multi-family dwelling shall also include any "large group homes" for individuals suffering from a "mental disorder" as those terms are defined in the General Health Article of the Maryland Annotated Code.

Dwelling, single-family, detached – A residential building containing not more than one (1) dwelling unit used by one family entirely surrounded by yards. Single family dwelling shall also include any "group home" or "small group home" for, respectively, persons affected by "developmental disabilities" or individuals suffering from a "mental disorder" as those terms are defined in the Health General Article of the Maryland Annotated Code.

Easement – A grant of one or more of the property rights by the owner to, or for the use by, the public, a corporation, or another person or entity.

Environmental Assessment – means a comprehensive report that describes the natural features and characteristics of a proposed development site, the changes that will occur as the result of proposed development activities on this site, the anticipated environmental impacts and consequences of the proposed development, and mitigation measures to be taken to minimize undesirable impacts to the environment.

Facade – The exterior elevation of a building exposed to public view or that wall viewed by persons not within the building.

Family – One or more persons related by blood, marriage, civil union, or adoption; or a group of not more than four persons who need not be so related and who are living together in a dwelling unit and maintaining a common household. Foster children or wards of the state are included as members of a family.

1
2 **Farmers Market** – An outdoor commercial establishment wherein agricultural products
3 are sold by one or more operators.
4

5 **Fence** – Any artificially constructed barrier of any material or combination of materials
6 erected to enclose or screen areas of land.
7

8 **Financial assurance** – A performance bond, letter of credit, cash deposit, insurance policy,
9 or other instrument of security acceptable to the Town of Easton.
10

11 **Floodplain** – Floodplain or flood-prone area means any land area susceptible to being
12 inundated by water from any source.
13

14 **Floor area, gross** – The sum of the areas of the several floors of a building, including areas
15 used for human occupancy in basements, attics, and penthouses, as measured from the
16 exterior faces of the exterior walls or from the center line of party walls. It does not include
17 cellars, unenclosed porches, or attics not used for human occupancy, or any floor space in
18 accessory buildings or in the main building intended and designed for the parking of motor
19 vehicles in order to meet the parking requirements of this Code, or any such floor space
20 intended and designed for heating and ventilating equipment and/or air exchange. It shall
21 include the horizontal area at each floor level devoted to stairwells and elevator shafts, but
22 not other vertical floor openings such as atriums.
23

24 **Floor Area Ratio (FAR)** – The gross floor area of the building or buildings on a lot divided
25 by the area of the lot. The floor area ratio requirement as set forth in the bulk regulations
26 for a zoning district determines the maximum floor area allowable for the building or
27 buildings (total gross floor area of both principal and accessory buildings) in direct ratio to
28 the gross area of the lot on which the buildings are constructed.
29

30 **Fourplex, stacked** - See Definition under Middle Housing Units.
31

32 **Funeral home** – A building or part thereof used for human funeral services. Such building
33 may contain space and facilities for:
34

- 35 a. embalming and the performance of other services used in preparation of the
36 dead for burial;
37 b. the performance of autopsies and other surgical procedures;
38 c. the storage of caskets, funeral urns, and other related funeral supplies; and
39 d. the storage of funeral vehicles.
40

41 Funeral homes shall not include facilities for cremation. Where a funeral home is
42 permitted, a funeral chapel shall also be permitted.
43

1 **Garage, private** – A building for the private use of the owner or occupant of a principal
2 building situated on the same lot of the principal building for the storage of motor vehicles
3 with no facilities for mechanical service or repair of a commercial or public nature.
4

5 **Garage, public** – A building designed and used for the storage of automotive vehicles
6 operated as a business enterprise with a service charge or fee being paid to the owner or
7 operator for the parking or storage of privately owned vehicles.
8

9 **Garage, repair** – A building designed and used for the storage, care, repair, or refinishing
10 of motor vehicles including both minor and major mechanical overhauling, paint, and body
11 work.
12

13 **Grade** – The average of the finished ground level at the center of all walls of a building.
14 In case walls are parallel to and within five (5) feet of a sidewalk, the ground level shall be
15 measured at the sidewalk.
16

17 **Grandfathered** – Describes the status accorded certain properties and development
18 activities that are of record prior to the date of adoption of the Zoning Code or provisions
19 of the Zoning Code.
20

21 **Group Home** – Any residential structure used to provide assisted community living for
22 persons with physical, mental, emotional, familial or social difficulties. More specific
23 definitions for Group Homes are given below:
24

25 **Group Home For Developmentally Disabled Persons** – A home designed to
26 accommodate up to eight developmentally disabled persons which is licensed by
27 the State of Maryland as a "public group home", a "non-profit private group home"
28 or an "alternative living unit" pursuant to Maryland Annotated Code Health General
29 Article Section 7-101 et seq.
30

31 **Large Private Group Home For Persons Suffering From a Mental Disability**
32 – A home designed to accommodate between nine and sixteen persons suffering
33 from a mental disability which is licensed by the State of Maryland as a "large
34 private group home" pursuant to Maryland Annotated Code Health General Article
35 Section 10-101 et seq.
36

37 **Small Private Group Home For Persons Suffering From a Mental Disability** –
38 A home designed to accommodate between four and eight persons suffering from
39 a mental disability which is licensed by the State of Maryland as a "small private
40 group home" pursuant to Maryland Annotated Code Health General Article Section
41 10-101 et seq.
42

Specialized Group Home – A residential structure (other than those defined above) used to provide assisted community living for persons with physical, mental, emotional, familial or social difficulties.

Gross leasable area – The total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines, and upper floors, if any, expressed in square feet and measured from the center line of joint partitions and from outside wall faces.

Ground Coverage – (See **lot coverage**).

Halfway house - means a clinically managed, low intensity residential treatment service for individuals with substance-related disorders who are capable of self-care but are not ready to return to independent living. Specific types of halfway houses are further defined as follows:

Large halfway house -means a halfway house that admits at least 9 but not more than 16 individuals.

Recovery residence - means a service that:

(1) Provides alcohol-free and illicit-drug-free housing to individuals with substance-related disorders or addictive disorders or co-occurring mental disorders and substance-related disorders or addictive disorders; and

(2) Does not include clinical treatment services.

Small halfway house - means a halfway house that admits at least 4 but not more than 8 individuals.

Hazardous substances – Any substances or materials that, by reason of their toxic, caustic, corrosive, abrasive, or otherwise injurious properties, may be detrimental or deleterious to the health of any persons handling or otherwise coming into contact with such material or substance, or any substance defined as a Hazardous Substance by State or Federal Law.

Health or Medical Clinic – An institution providing surgical or non-surgical treatment, care, examination, diagnostic, rehabilitation or preventive health services to outpatients, including, without limitation, mental health, family planning, inoculation and educational service.

Healthcare Staff Housing – A facility providing residential accommodations (including cooking facilities) for physicians, nurses and other healthcare personnel employed within the RH District. A Healthcare Staff Housing facility may not be owned by its occupant(s).

1 **Healthcare Student Dormitory** – A facility providing residential accommodations
2 (including cooking facilities) for healthcare, medical or nursing students participating in
3 classes, coursework, internships, residencies or other education or training within the RH
4 District. A Healthcare Student Dormitory may not be owned by its occupant(s).

5
6 **Hedge** – A group of plants, planted in a row or grouping designed to have the same effect
7 as a fence.

8
9 **Height** – The vertical distance to the highest point of the structure measured from grade.

10
11 **Helipad** – An area, whether open land or part of a building, used for the landing and take-
12 off of helicopters.

13
14 **Highly erodible soils** – Soils with a slope greater than 15 percent; or those soils with a K
15 value greater than 0.35 and with slopes greater than 5 percent.

16
17 **Historic District** – shall mean a significant concentration, linkage, or continuity of sites,
18 structures, or objects united historically, architecturally, archeologically, or culturally by
19 plan or physically development. An historic district shall include all property within its
20 boundaries as defined and designated by the Mayor and Town Council. Definitions
21 pertaining specifically to the Historic District are given below:

22
23 **Alteration** – shall mean any exterior change that would affect the historic,
24 archeological, or architectural significance of a designated site or structure, any
25 portion of which is visible or intended to be visible from a public way,
26 including, but not limited to, construction, reconstruction, moving, or
27 demolition.

28
29 **Appurtenances and environmental settings** – shall mean all that space of
30 grounds and structures thereon which surrounds a designated site or structure
31 and to which it relates physically or visually. Appurtenances and environmental
32 settings shall include, but not be limited to, walkways and driveways (whether
33 paved or not), trees, landscaping, pastures, croplands, waterways, open space,
34 setbacks, parks, public spaces, and rocks.

35
36 **Certificate of Appropriateness** – shall mean a certificate issued by the Historic
37 District Commission indicating its approval of plans for construction,
38 alteration, reconstruction, moving, or demolition of an individually designated
39 landmark, site, or structure or of a site or structure within a designated
40 preservation district.

41
42 **Demolition by neglect** – shall mean any willful neglect in the maintenance and
43 repair of an individually designated landmark, site, or structure, or a site or

1 structure within a designated preservation district, not including any
2 appurtenances and environmental settings, that does not result from an owner's
3 financial inability to maintain and repair such landmark, site, or structure, and
4 which results in any of the following conditions:
5

6 The deterioration of the foundations, exterior walls, roofs, chimneys,
7 doors, or windows, so as to create or permit a hazardous or unsafe
8 condition to exist; or
9

10 The deterioration of the foundations, exterior walls, roofs, chimneys,
11 doors, or windows, the lack of adequate waterproofing, or the
12 deterioration of interior features which will or could result in permanent
13 damage, injury, or loss of or loss to foundations, exterior walls, roofs,
14 chimneys, doors, or windows.
15

16 **Exterior features** – shall mean the architectural style, design, and general
17 arrangement of the exterior of an historic structure, including the nature and
18 texture of building material, and the type and style of all windows, doors, light
19 fixtures, signs, or similar items found on or related to the exterior of an historic
20 structure.
21

22 **Historic Area Work Building Permit** – shall mean a permit issued by the
23 Building Department upon receiving a Certificate of Appropriateness from the
24 Commission for all projects that the Town conducts, assists, licenses, or permits
25 that affect properties within a designated district or individually designated sites
26 or landmarks.
27

28 **Landmark** – shall mean any designated site or structure outside the boundaries
29 of a preservation district that is of exceptional historic, archeological, or
30 architectural significance.
31

32 **Reconstruction** – shall mean the process of reproducing by new construction
33 the exact form and detail of a vanished structure, or part thereof, as it appeared
34 at a specific period of time.
35

36 **Restoration** – shall mean the process of accurately recovering the form and
37 details of a property as it appeared at a specific period of time by means of
38 removal of later work and the replacement of work missing from that period.
39

40 **Site** – shall mean the location of an event of historic significance or a structure,
41 whether standing or ruined, which possesses historic, architectural,
42 archeological, or cultural significance.
43

1 **Structure** – shall mean a combination of material to form a construction that
2 is stable, including but not limited to buildings, stadiums, reviewing stands,
3 platforms, staging, observation towers, radio towers, water tanks and towers,
4 trestles, bridges, piers, paving, bulkheads, wharves, sheds, coal bins, shelters,
5 fences, and display signs, visible or intended to be visible from a public way.
6 The term “structure” shall be construed as if followed by the words, “or part
7 thereof.”
8

9 **Home-based business** – A specialized type of Home Occupation with negligible or no
10 impact on the neighborhood in which it is located. Such an operation has no vehicular
11 traffic, no special deliveries, and has no sign to indicate that such a business is located on
12 the premises. Examples of home-based businesses include the situation whereby the
13 resident uses a home computer, telephone, and/or fax machine for such routine business
14 practices as billing, scheduling, and placing orders.
15

16 **Home improvement center** – means a retail sales facility having a gross floor area of more
17 than twenty-five thousand (25,000) square feet, primarily engaged in the retail sale of
18 various hardware and home improvement products such as tools, building materials, paint,
19 household appliances, garden materials and supplies, and home decorating fixtures and
20 accessories.
21

22 **Homeless Shelter** – A facility that provides temporary housing for individuals and families
23 who are temporarily homeless, or about to become homeless. A homeless shelter also may
24 provide meals and support services as needed to assist those who need a respite from bills
25 to save some funds so they can provide for themselves once again. These services may be
26 provided by trained staff and volunteers, and other community service agencies. An
27 individual’s length of stay is determined by their unique needs, and the availability of
28 transitional housing.
29

30 **Home occupation** – An occupation, profession, activity, or use that is clearly a customary,
31 incidental, and secondary use of a residential dwelling unit and which does not alter the
32 exterior of the property or affect the residential character of the neighborhood. Included in
33 this definition are home professional offices whereby the office of an artist, writer, doctor,
34 lawyer, dentist, architect, engineer, accountant, real estate or insurance agent, salesman,
35 surveyor or other similar offices is located within the home of the practitioner.
36

37 **Homeowners association** – A private, nonprofit corporation of homeowners for the
38 purpose of owning, operating, and maintaining commonly owned properties.
39

40 **Hospital** – An institution specializing in giving clinical, temporary, and emergency
41 services of a medical or surgical nature to human patients and injured persons, and licensed
42 by state law to provide facilities and services in surgery, obstetrics, and general medical
43 practice. Hospitals may include various accessory and ancillary activities which are

customarily incidental to and in direct support of the primary healthcare mission of the hospital, such as laboratories, pharmacies, cafeterias, gift shops, teaching, and research, diagnostic, treatment or rehabilitation facilities which are integrated with the hospital facilities

Hotel (See also **motel**) – A facility offering transient lodging accommodations on a daily rate to the general public and providing additional services, such as restaurants, meeting rooms, and recreational facilities.

Houses of worship – A structure that people regularly attend to participate in or hold religious services, meetings, and other activities.

Hydric soils – means soils that are wet frequently enough to periodically produce anaerobic conditions, thereby influencing the species composition or growth, or both, of plants on those soils.

Hydrophytic vegetation – means those plants cited in "Vascular Plant Species Occurring in Maryland Wetlands" (Dawson, F. et al., 1985) which are described as growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content (plants typically found in water habitats).

Impervious surface – A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes surfaces such as compacted sand, limerock, or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar structures.

Indoor Recreation Facility – A building or group of buildings whereby the primary activity involved is the practice of such recreational activities as basketball, tennis, racquetball, weight lifting, aerobics, swimming, etc.

Industrial park – A planned, coordinated development of a tract of land with two or more separate industrial buildings. Such development is planned, designed, constructed, and managed on an integrated and coordinated basis with special attention given to on-site vehicular circulation, parking, utility needs, building design and orientation, and open spaces and screening.

Industry, heavy – A use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

1 **Industry, light** – A use engaged in the manufacture, predominately from previously
2 prepared materials, of finished products or parts, including processing, fabrication,
3 assembly, treatment, packaging, incidental storage, sales, and distribution of such products,
4 but excluding basic industrial processing.
5

6 **Junk** – Articles that have outlived their usefulness in their original form, and are commonly
7 gathered up and sold to be converted into another product, either of the same or of a
8 different kind.
9

10 **Junk Yard** – Any land or building or part thereof used for the abandonment, sale, storage,
11 collecting or baling of paper, rags, scrap metals, other scrap or discarded materials, or the
12 abandonment, demolition, dismantling, storage, salvaging or sale of automobiles or other
13 vehicles not in running condition, or machinery, or parts thereof.
14

15 **Kennel** – Any building or buildings or land (and associated fencing) designed or arranged
16 for the care of dogs and/or cats belonging to the owner of the principal use, kept for
17 purposes of show, hunting, or as pets.
18

19 **Kennel, commercial** – An establishment licensed to operate a facility housing dogs, cats,
20 or other household pets and where grooming, breeding, boarding, training, or selling of
21 animals is conducted as a business.
22

23 **K Value** – the soil erodibility factor in the Universal Soil Loss Equation. It is a quantitative
24 value that is experimentally determined.
25

26 **Land-based aquaculture** – the raising of fish or shellfish in any natural or man-made,
27 enclosed or impounded, water body.
28

29 **Land Clearing** – means any activity that removes the vegetative ground cover.
30

31 **Landfill** – A type of operation in which refuse and earth or other suitable cover material
32 are deposited in alternate layers of specified depth in accordance with a definite plan on a
33 specified portion of open land, with each layer being compacted by force applied by
34 mechanical equipment.
35

36 **Landforms** – Feature of the earth's surface created by natural causes.
37

38 **Large shrub** – A shrub that, when mature, reaches a height of at least six (6) feet.
39

40 **Landward Edge** – the limit of a site feature that is furthest away from a tidal water, tidal
41 wetland, or a tributary stream.
42

1 **Limit of disturbance** – the area of a development or redevelopment activity that includes
2 temporary disturbance and permanent disturbance.
3

4 **Live-Work Unit** – See Definition under Middle Housing Units.
5

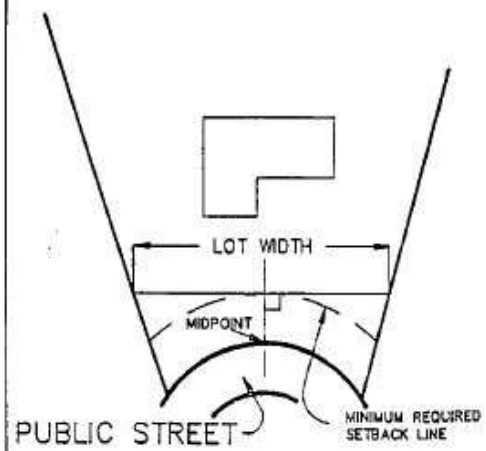
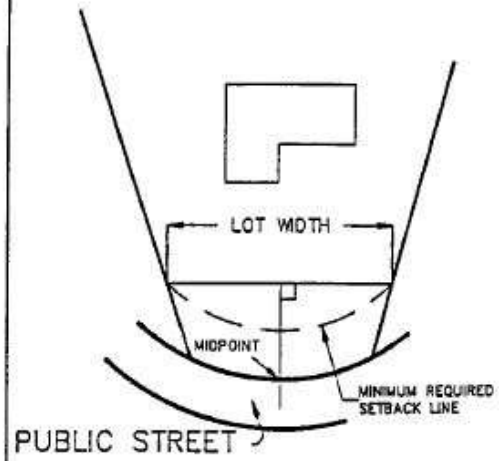
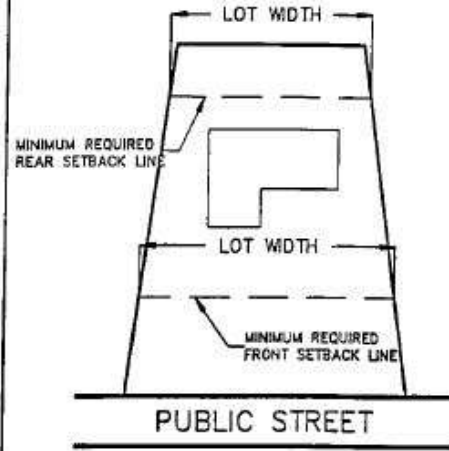
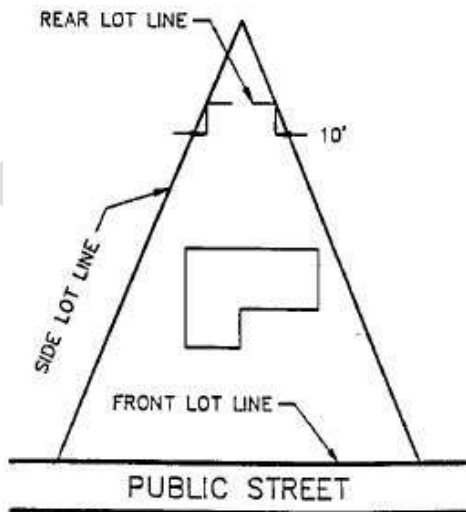
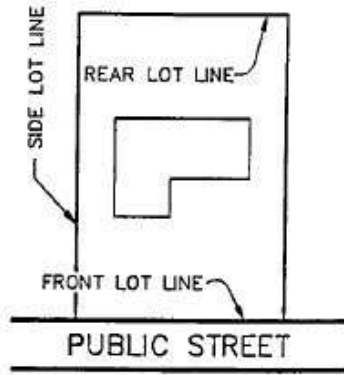
6 **Living shoreline** – means a suite of stabilization and erosion control measures that
7 preserve the natural shoreline and are designed to minimize shoreline erosion, maintain
8 coastal process, and provide aquatic habitat. Measures must include marsh plantings and
9 may include the use of sills, sand containment structures, breakwaters, or other natural
10 components.
11

12 **Liquor Store** – A business that sells alcoholic beverages for consumption off-premises.
13 For the purposes of this Code, the term “liquor store” does not include grocery stores or
14 convenience stores in which beer and/or wine is offered for sale as a minor part of an
15 overall larger inventory of goods. It shall also not include a restaurant that is otherwise
16 operating in accordance with its approved liquor license and all other provisions of this
17 Code.
18

19 **Lot** – A parcel of land undivided by any street and occupied by, or designated to be
20 developed for, one (1) building or principal use and the accessory buildings or uses
21 customarily incidental to such building, use, or development, including such open spaces
22 and yards as are designed and arranged or required by this Code for such building, use, or
23 development. (See Figure 1.1).
24

1

Figure 1.1



2

1 **Lot area** – The total horizontal area within the lot lines of a lot.

2
3 **Lot, corner** – A lot having continuous frontage on two or more intersecting streets.
4 Notwithstanding any other provision of this Code, corner lots shall be deemed to have two
5 fronts, two sides and no rear for the purpose of meeting setback requirements.

6
7 **Lot depth** – The average horizontal distance between the front and rear lot lines.

8
9 **Lot, flag** – A lot with access provided to the bulk of the lot by means of a narrow corridor.

10
11 **Lot frontage** – The front of a lot shall be construed to be the portion nearest to any public
12 street or way. For the purpose of determining setback requirements of corner lots and
13 through lots, all sides of a lot adjacent to streets shall be considered frontage.

14
15 **Lot, interior** – An interior lot is a lot other than a corner lot.

16
17 **Lot line** – The boundary line of a lot (See Figure 1.1).

18
19 **Lot line, front** (See also **yard, front**) – The line separating the front of the lot from the
20 street. When a lot or building site is bounded by a public street and one or more easements,
21 the front lot line shall be the nearest street line (See Figure 1.1).

22
23 **Lot line, rear** – That lot line opposite to the front property line. Where the side property
24 lines of a lot meet in a point, the rear property line shall be a line not less than ten (10) feet
25 long, lying within the lot and parallel to the front property line (See Figure 1.1).

26
27 **Lot line, side** – Any lot line not a front or rear lot line (See Figure 1.1).

28
29 **Lot of record** – A lot which is part of a subdivision recorded in the office of the Clerk of
30 Circuit Court, or a lot or parcel described by metes and bounds, the description of which
31 has been so recorded.

32
33 **Lot, through** – A lot having its front and rear yards each abutting on a street.

34
35 **Lot, width** – The horizontal distance between the side lot lines of a lot measured at the
36 minimum front and rear setback lines (for corner lots, it is the distance between each front
37 and side setback line) (See Figure 1.1).

38
39 **Maintenance guarantee** – A guarantee of facilities or work to ensure the correction of any
40 failures of any improvements required pursuant to this Code and regulation, or to maintain
41 same.

1 **Major Retail** – A retail establishment in a single building, occupying more than 25,000
2 gross square feet of floor area.

3
4 **Mall** – A large enclosed collection of independent retail stores and services, with
5 associated shared parking areas, constructed and maintained by a management firm as a
6 unit.

7
8 **Mansion Apartment** - See Definition under Middle Housing Units.

9
10 **Manufactured housing** (See also **mobile home**) – A factory built, single-family structure
11 that is manufactured under the authority of 42 U.S.C. Sec. 5401, the National Manufactured
12 Home Construction and Safety Standards Act, is transportable in one or more sections, is
13 built on a permanent chassis, and is used as a place of human habitation; but which is not
14 constructed with a permanent hitch or other device allowing transport of the unit other than
15 for the purpose of delivery to a permanent site, and which does not have wheels or axles
16 permanently attached to its body or frame.

17
18 **Manufactured housing park** – A parcel of land under single ownership that has been
19 planned and improved for the placement of manufactured housing for dwelling purposes.

20
21 **Marina** – means any facility for the mooring, berthing, storing, or securing of watercraft,
22 but not including community piers and other non-commercial boat docking and storage
23 facilities.

24
25 **Marketplace Buildings – Commercial** – A one (1) story freestanding structure, located
26 on the same lot as a commercial business, that is not greater than one-hundred twenty (120)
27 square feet in floor area, and with an eave height of twelve (12) feet or less, the use of
28 which is complementary to that of the commercial business of the same lot, and which
29 complies with all the standards and regulations specified for said use in the Town of Easton
30 Building Code (Chapter 6 of the Town Code).

31
32 **Medical Cannabis** –

33
34 (a) “Medical cannabis” means all parts of any plant of the genus cannabis, whether
35 growing or not, including:

36
37 (i) The seeds of the plant;

38 (ii) The resin extracted from any part of the plant; and

39 (iii) Any compound, manufacture, salt, derivative, mixture, or preparation of
40 the plant, its seeds, or resin including tetrahydrocannabinol (THC) and all other
41 naturally produced cannabinol derivatives, whether produced directly or
42 indirectly by extraction.
43

(b) "Medical cannabis" does not include:

- (i) Hemp, as defined in Agriculture Article, §14-101, Annotated Code of Maryland;
- (ii) Mature stalks of the plant or fiber produced from the mature stalks;
- (iii) Oil or cake made from the seeds of the plant;
- (iv) Any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, fiber, oil, or cake; or
- (v) The sterilized seed of the plant that is incapable of germination.

Medical Cannabis Dispensary - an entity licensed by the Maryland Medical Cannabis Commission that acquires, possesses, repackages, processes, transfers, transports, sells, distributes, or dispenses, products containing medical cannabis, related supplies, related products including tinctures, aerosols, oils, or ointments, or educational materials for use by a qualifying patient or caregiver.

Medical Cannabis Growing Facility - an entity that cultivates, manufactures, packages or distributes medical cannabis to licensed processors, licensed dispensaries or registered independent testing laboratories.

Medical Cannabis Processing Facility - an entity licensed by the Maryland Medical Cannabis Commission that:

- (a) Transforms the medical cannabis into another product or extract; and
- (b) Packages and labels medical cannabis.

Medical Laboratory – Any facility that offers or performs tests or examinations in connection with the diagnosis and control of human diseases or the assessment of human health, nutritional, or medical conditions or in connection with job-related drug and alcohol testing. Medical Laboratories may perform medical, dental, optical, pharmaceutical or related research, diagnostic testing, analytical or clinical work having a direct relationship to the providing of healthcare services, including, but not limited to, medical research, radiology, hematology, serology, immunology, allergy, biochemistry, basal metabolism, microbiology, parasitology, pathology, histology, cytology, toxicology and pharmacology.

Medical Services – Facilities primarily engaged in furnishing outpatient medical, mental health, surgical and other personal health services. These include, without limitation: offices for physicians, chiropractors, dentists, optometrists, psychiatrists, nurse practitioners, psychologists, home healthcare service providers (counseling services by other than medical doctors, psychiatrists, or psychologists are included under the use "Offices"); medical and dental laboratories; out-patient care facilities; emergency room services; and allied health services. Associations or groups primarily engaged in providing medical or other health services to members are included.

1 **Mega-Church** – A large, specialized type of house of worship which includes such non-
2 traditional accessory uses as retail sales, residential uses, amusement parks, and sports and
3 entertainment facilities, as an integrated part of the development.
4

5 **Micro-brewery** – A facility in which beer is brewed for distribution and consumption off-
6 premises and which possesses the appropriate license from the State of Maryland.
7

8 **Middle Housing Units** – Refers to a number of multi-unit or clustered housing types that
9 bridge the gap of housing types between single-family detached and garden apartment
10 building complexes. Such housing types are compatible in scale with single-family homes
11 and help to meet the need for more housing choices at different price points. Definitions
12 of specific types of middle housing units are as follows:
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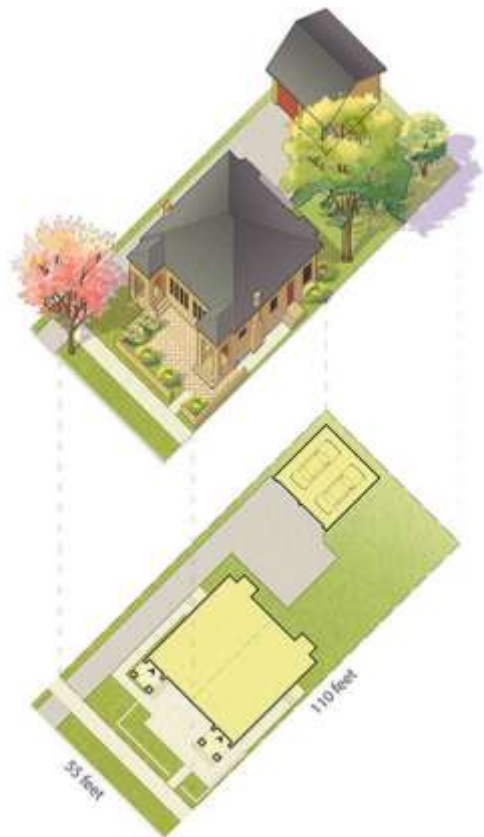
Cottage court – a residential housing type that consists of a series of small (one to one and a half stories and small footprint) homes that are typically detached, oriented around a small shared court that is usually perpendicular to the street.



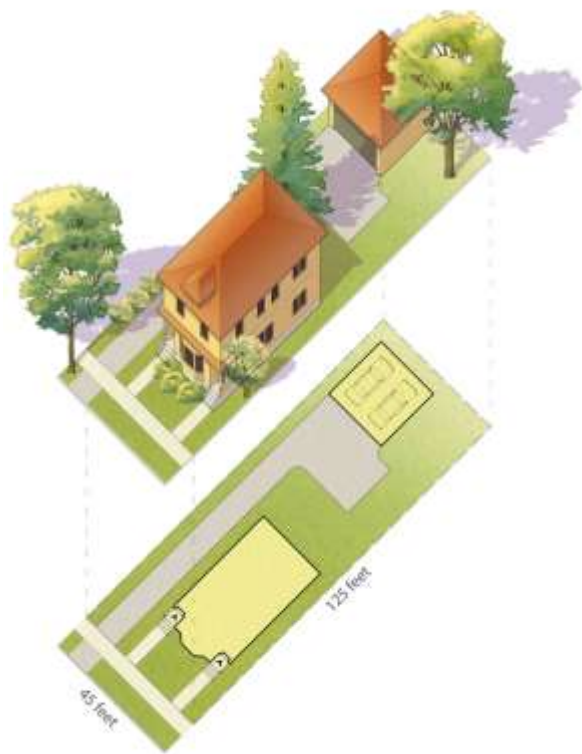
Courtyard Building – a residential housing type that is a medium-sized structure that consists of multiple side-by-side or stacked dwelling units oriented around a courtyard or series of courtyards.



Duplex, side-by-side – a residential housing type with two units located next to each other with one shared wall.



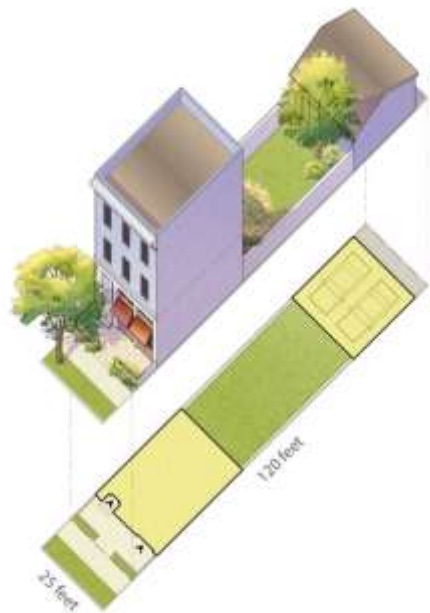
Duplex, stacked – a residential housing type that has two units stacked one on the ground floor and the other above it.



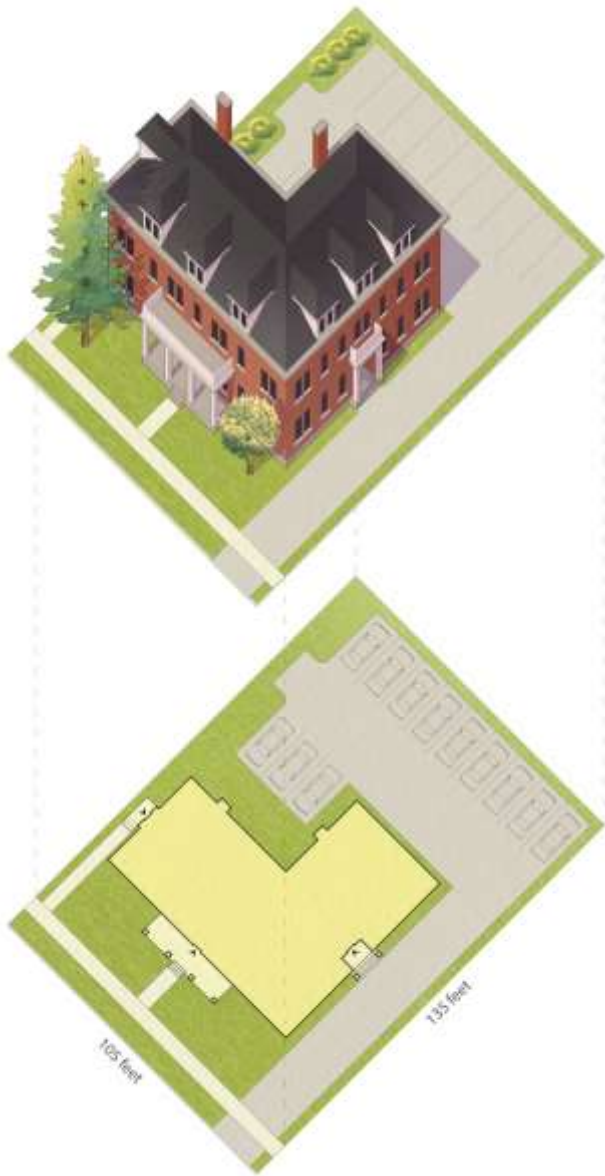
Fourplex, stacked – a residential housing type that has a small-to-medium sized structure that consists of two units on the ground floor and two units stacked directly above them.



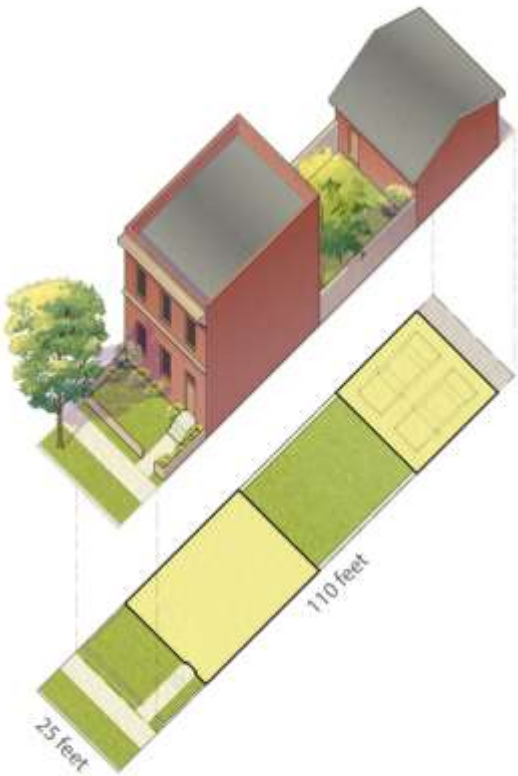
Live-Work Units (flexhouses) – a mixed-use building type that integrates a residential unit as well as a separate flex space, accommodating a range of nonresidential uses.



Mansion Apartment – a residential housing type that is a small-to-medium-sized structure consisting of five to twelve units stacked on top of each other on consecutive floors, often with a shared entry on the ground floor.



Townhouse – a residential housing type that is a small-to-medium-sized structure with two or more multistory units with shared walls on both sides (other than for the end units).



Triplex stacked – a residential housing type that is a small-to-medium-sized structure that consists of three dwelling units stacked on top of each other on consecutive floors.



Mitigation – means an action taken to compensate for adverse impacts to the environment resulting from development, development activity, or a change in land use or intensity.

Mini-warehouse – Storage facilities located within a totally enclosed structure(s) used for the storage of nonflammable or non-explosive materials. Such facilities shall primarily serve the overflow storage needs of residents.

Mobile Food Use – A food service operation that is vehicle-mounted or wheeled, a portable structure, or watercraft and is capable of being readily moved. Uses that are similar in nature but do not meet this definition, such as a trailer without wheels, are not considered a mobile food use and therefore would be subject to the applicable use and building regulations for the appropriate fixed structure.

1 **Mobile home** (See also **manufactured housing**) – A transportable, factory-built home,
2 designed to be used as a year-round residential dwelling and built prior to the enactment of
3 the Federal Manufactured Housing Construction and Safety Standards Act of 1974, which
4 became effective June 15, 1976.

5
6 **Mobile Medical Facility** – A temporary use which involves a trailer or mobile unit
7 which houses medical equipment which is customarily moved from location to
8 location when needed.

9
10 **Multiple use** (See also **shopping center**) – Two or more uses contained either within one
11 building or in more than one building on an approved lot provided that if any commercial
12 uses are involved, the total is less than 10,000 square feet gross floor area.

13
14 **Motel** (See also **hotel**) – A building or group of detached or connected buildings designed
15 or used primarily for providing sleeping accommodations for automobile travelers and
16 having a parking space adjacent to a sleeping room.

17
18 **Museum** – a building(s) and or site(s) used for the preservation, collection, restoration,
19 display, interpretation and/or demonstration of articles of cultural, historical and/or
20 scientific significance, and which may include areas devoted to galleries, exhibition halls,
21 classrooms, workshops, studios, curatorial storage and administrative offices.

22
23 **Native plant** – means a species that is indigenous to the physiographic area in Maryland
24 where the planting is proposed.

25
26 **Natural features** – means components and processes present in or produced by nature,
27 including but not limited to soil types, geology, slopes, vegetation, surface water, drainage
28 patterns, aquifers, recharge areas, climate, flood plains, aquatic life, and wildlife.

29
30 **Nonconforming lot** – A lot which lawfully existed prior to the adoption, revision, or
31 amendment of this Code, but which fails by reason of such adoption, revision, or
32 amendment to conform to the use in which it is located.

33
34 **Nonconforming structure** – An otherwise legal building or structure that does not
35 conform with the lot area, yard, height, lot coverage, or other area regulations of this Code,
36 or is designed or intended for use that does not conform to the use regulations of this Code,
37 for the district in which it is located either at the effective date of this Code or as a result
38 of subsequent amendments to the Code.

39
40 **Nonconforming use** – A lawful use of land that does not comply with the use regulations
41 for its zoning district but which complied with applicable regulations at the time the use
42 was established.

1 **Non-point source pollution** – pollution generated by diffuse land use activities rather than
2 from an identifiable or discrete facility. It is conveyed to waterways through natural
3 processes, such as rainfall, storm runoff, or groundwater seepage rather than by deliberate
4 discharge. Non-point source pollution is not generally corrected by "end-of-pipe"
5 treatment, but rather by changes in land management practices.
6

7 **Non-renewable resources** – resources that are not naturally regenerated or renewed.
8

9 **Non-tidal wetland** (See also **wetland**) – those areas regulated under Subtitle 9 of the
10 Environment Article that are inundated or saturated by surface water or groundwater at a
11 frequency and duration sufficient to support, and that under normal circumstances does
12 support, a prevalence of vegetation typically adapted for life in saturated soil conditions,
13 commonly known as hydrophytic vegetation. The determination of whether an area is a
14 non-tidal wetland shall be made in accordance with the publication known as the "Federal
15 Manual for Identifying and Delineating Jurisdictional Wetlands," published in 1989, and
16 as may be amended. Non-tidal wetlands do not include tidal wetlands regulated under Title
17 16 of the Environment Article of the Annotated Code of Maryland.
18

19 **Nursing Home (or Rest Home, Convalescent Home, or Home for the Aged)** – A place
20 devoted primarily to the maintenance and operation of facilities for the treatment and care
21 of any person suffering from illness, disease, deformities, or injuries who do not require
22 extensive or intensive care such as provided in a general or other specialized hospital. A
23 nursing home provides medical, nursing, convalescent, or chronic care in addition to room
24 and board.
25

26 **Office(s)** – A building or portion of a building wherein services are performed involving
27 predominantly administrative, professional, or clerical operations.
28

29 **Offsets** – means structures or actions that compensate for undesirable impacts.
30

31 **Open-section road** – a road without curb and gutter.
32

33 **Open space** – Undeveloped land and water areas used for recreation, resource protection,
34 amenity, and/or buffers and protected from future development.
35

36 **Open space, common** – Open space within or related to a development, not in individually
37 owned lots or dedicated for public use, but which is designed and intended for the common
38 use or enjoyment of the residents of the development.
39

40 **Open storage** – Outdoor storage that is neither screened nor buffered from view from any
41 public way.
42

1 **Open Water** – Tidal waters of the State that do not contain tidal wetlands and/or
2 submerged aquatic vegetation.

3
4 **Outdoor recreation area** – An area where such recreational activities as golf, tennis,
5 swimming, etc., are pursued out of doors.

6
7 **Outdoor or Outside storage** – The keeping, in an unroofed area, of any goods, junk,
8 material, merchandise, or inoperable vehicles in the same place for more than 24 hours.
9 Goods or materials kept at an active construction site or automobiles, trailers, boats, etc.,
10 whose display is an essential part of the business shall not be considered outside storage.

11
12 **Overnight Care Facility** – A facility that provides overnight accommodation of patients
13 for recovery, rehabilitation or extended-care treatment of medical, psychiatric or
14 psychological conditions or substance abuse and/or residential hospice care for terminally
15 ill patients.

16
17 **Palustrine** – means all non-tidal wetlands dominated by trees, shrubs, persistent emergent
18 plants, or emergent mosses or lichens and all such wetlands that occur in tidal areas where
19 the salinity due to ocean-derived salts is below one-half part per 1,000 parts of water.

20
21 **Park** – Any public or private land available for recreational, educational, cultural, or
22 aesthetic use.

23
24 **Parking lot or parking area** – An area not within a building where motor vehicles may
25 be stored for the purposes of temporary, daily, or overnight off-street parking. The parking
26 area includes the required maneuvering space but not the ancillary access drive.

27
28 **Parking, shared** – The development and use of parking areas on two or more separate
29 properties for joint use by the businesses on those properties.

30
31 **Parking space** – An unobstructed space or area other than a street or alley that is
32 permanently reserved and maintained for the parking of one (1) motor vehicle.

33
34 **Patient Hostel** – A residential facility primarily intended for the use of patients being
35 admitted or discharged from the hospital and their immediate families. The facility may
36 include a shared dining facility that is restricted to the use of the hostel occupants and their
37 guests.

38
39 **Performance guarantee** (See also **maintenance guarantee**) – A financial guarantee to
40 ensure that all improvements, facilities, or work required by this Code will be completed
41 in compliance with the Code, the Subdivision Regulations, and the approved plans and
42 specifications of a development.

1 **Person** – An individual, partnership, corporation, contractor, property owner, or any other
2 person or entity.
3

4 **Personal Services** – Establishments or places of business engaged in the provision of
5 frequently or recurrently needed services of a personal nature. Typical uses include beauty
6 and barber shops; grooming of pets; seamstresses, tailors, or shoe repairs; florists; massage
7 therapy; and laundromats and dry cleaning stations serving individuals and households.
8

9 **Photocopy service** – A business that reproduces drawings, plans, maps, or other copy by
10 means of blueprinting or photocopying.
11

12 **Physiographic features** – The soils, topography, land slope and aspect, and local climate
13 that influence the form and species composition of plant communities.
14

15 **Planned unit development (PUD)** – A development of land that is under unified control
16 and is planned and developed as a whole in a single development operation or programmed
17 series of development stages. The development may include streets, circulation ways,
18 utilities, buildings, open spaces, and other site features and improvements.
19

20 **Planning and Zoning Commission (or Planning and Zoning Commission)** – The
21 Easton Planning and Zoning Commission.
22

23 **Port** – A facility or area established or designated by the State or local jurisdiction for
24 purposes of waterborne commerce.
25

26 **Portable on demand storage** – (PODS) aluminum or steel cargo crates that can be
27 delivered to a location, loaded up, and hauled away to a warehouse for storage.
28

29 **Principal building** – A building in which the primary use of the lot on which the building
30 is located is conducted.
31

32 **Principal use** – The main use of land or structures, as distinguished from a secondary or
33 accessory use.
34

35 **Print shop** – A retail establishment that provides duplicating services using photocopy,
36 blueprint, and offset printing equipment, including collating of booklets and reports.
37

38 **Private Clubs and Lodge** – Any building which serves as a meeting place for a selected
39 membership, together with recreation and dining facilities which are not open to the general
40 public.
41

42 **Property owner** – A person holding title to a property or two or more persons holding title
43 to a property under any form of joint ownership.

1
2 **Public Utility** – Any activity or use which provides and offers such services to the general
3 public as vehicular and pedestrian circulation systems, storm sewers, water, sewerage,
4 sewage treatment, electricity, gas, or communications. Excluded from this definition are
5 the general offices for any entity which provides such services.
6

7 **Recycling collection station** – A collection point for small refuse items, such as bottles
8 and newspapers, located either in a container or small structure.
9

10 **Recycling processing center** – A facility that is not a junkyard and in which recoverable
11 resources, such as newspapers, glassware, and metal cans, are collected, stored flattened,
12 crushed, or bundled. Such materials may then be transported off site to be recycled or they
13 may be recycled, reprocessed, and treated on site to return such products to a condition in
14 which they may again be used for production.
15

16 **Research facility and Laboratory** - A facility for scientific research, and the design,
17 development and testing of electrical, electronic, magnetic, medical, optical and computer
18 and telecommunications components in advance of product manufacturing, and the
19 assembly of related products from parts produced off-site, where the manufacturing
20 activity is secondary to the research and development activities.
21

22 **Restaurant, carry-out/delicatessen** – An establishment that sells prepared food and/or
23 beverages that are delivered to and/or consumed by customers off the premises.
24

25 **Restaurant, fast food** – An establishment that offers quick food service, which is
26 accomplished through a limited menu of items already prepared and held for service, or
27 prepared, fried, or griddled quickly, or heated in a device such as a microwave oven.
28 Orders are not generally taken at the customer's table, and food is generally served in
29 disposable wrapping or containers. Fast food restaurants may also include drive-thru
30 windows.
31

32 **Restaurant, nightclub** (See also **Bar** and **Tavern**) – A commercial establishment
33 dispensing alcoholic beverages for consumption on the premises which also serves at least
34 two (2) complete meals per day and in which dancing is permitted or entertainment is
35 provided.
36

37 **Restaurant, sit down** – A business establishment whose principal business is the selling
38 of unpackaged food to the customer in a ready-to-consume state, in individual servings, or
39 in nondisposable containers, and where the customer consumes these foods while seated at
40 tables or counters located within the building.
41

1 **Retail thrift or outlet store operated by a non-profit organization** – A retail store in
2 which donated new or used products are sold to the public at a discounted price for the
3 purpose of generating income to support the activities of a non-profit organization.
4

5 **Retirement Community** – A residential facility for four or more elderly persons (aged 62
6 or older) within which are provided living and sleeping facilities, meal preparation, laundry
7 services, and room cleaning. Such facilities may also provide other services such as
8 transportation for routine social and medical appointments, and counseling.
9

10 **Right-of-way** – A strip or area of land occupied or intended to be occupied by a crosswalk,
11 railroad, utilities, private or public ways of access, or other special uses.
12

13 **Riparian habitat** – a habitat that is strongly influenced by water and which occurs adjacent
14 to streams, shorelines, and wetlands.
15

16 **Road** –

- 17 a. "Public Road" means a public thoroughfare under the jurisdiction of the
18 State, a county, a municipal corporation, or any other public body.
19 b. "Private Road" means a way open to vehicular ingress and egress
20 established as a separate tract for the benefit of certain, adjacent properties.
21 This definition shall not apply to private driveways.
22 a) "Road" does not include a drive aisle or driveway. "Road" includes both
23 public and private roads.
24

25 **Satellite dish antenna** –a round parabolic antenna intended to receive signals from
26 orbiting satellites and other sources.
27

28 **School** – A facility that provides a curriculum of elementary and secondary academic
29 instruction, including kindergartens, elementary schools, junior high schools, and high
30 schools.
31

32 **Screening** (See also **buffer area**) – The method by which a view of one site from another
33 adjacent site is shielded, concealed, or hidden. Screening techniques include fences, walls,
34 hedges, berms, or other features.
35

36 **Service station** (See also **garage, repair**) – Any premises where gasoline and other
37 petroleum products are sold and/or light maintenance activities such as engine tuneups,
38 lubrication, minor repairs, and carburetor cleaning are conducted. Service stations shall
39 not include premises where heavy automobile maintenance activities such as engine
40 overhauls, automobile painting, and body fender work are conducted.
41

42 **Setback** – A line beyond which no building or structure is permitted to extend. All
43 setbacks extend from property line to property line.

1
2 **Short-term housing** – Any lease or other transfer of the right to occupy a primary or
3 accessory dwelling unit on the parcel other than a hotel, motel, inn, or bed-and-breakfast
4 for not less than one night and not exceeding four months.
5

6 **Shopping center** – A group of three (3) or more architecturally unified commercial
7 establishments with a total gross floor area of more than 10,000 square feet which are
8 planned, constructed, and managed as a total entity with customer and employee parking
9 provided on-site. A shopping center may either be a strip center or a campus-style center.
10 Strip centers describe all existing centers in Easton as of the year 2000 and new ones shall
11 be prohibited. Existing ones may be redeveloped and in the event that downtown-scale
12 and character commercial development is defined as a strip center, it shall be permitted.
13

14 **Sign** –A structure or device designed or intended to convey information to the public in
15 written or pictorial form. **More specific sign definitions are given below.**
16

17 **banner** – Any sign of lightweight fabric or similar material.
18

19 **building sign** – Any sign attached to any part of a building, as contrasted to a
20 freestanding sign.
21

22 **commercial message** – Any sign wording, logo, or other representation that,
23 directly or indirectly, names, advertises, or calls attention to a business, product,
24 service, or other commercial activity.
25

26 **decorative flag** – A specific type of flag which is distinguished from the general
27 definition of "flag" in that it does not relate to any government, political
28 subdivision, or other entity. Such a flag shall contain no generally recognized
29 commercial symbol and no written message.
30

31 **flag** – Any fabric, banner, or bunting containing distinctive colors, patterns, or
32 symbols, used as a symbol of government, political subdivision, or other entity.
33

34 **freestanding sign** – A self-supporting sign not attached to any building, wall, or
35 fence, but in a fixed location. This does not include portable or trailer type signs.
36

37 **incidental sign** – A sign, generally informational, that has a purpose secondary to
38 the use of the zone lot on which it is located, such as "no parking," "entrance,"
39 "loading only," "telephone," and other similar directives. No sign with a
40 commercial message legible from a position off the zone lot on which the sign is
41 located shall be considered incidental.
42

1 **multiple signs** – A group of signs clustered together in a single structure or
2 compositional unit. Multiple signs are used to advertise several occupants of the
3 same building or building complex.
4

5 **nonconforming sign** – Any sign that does not conform to the requirements of this
6 Section.
7

8 **pennant** – Any lightweight plastic, fabric, or other material, whether or not
9 containing a message of any kind, suspended from a rope, wire, or string, usually
10 in series, designed to move in the wind.
11

12 **portable sign** – Any sign not permanently attached to the ground or other
13 permanent structure, or a sign designed to be transported, including, but not limited
14 to, signs designed to be transported by means of wheels; balloons used as signs;
15 umbrellas used for advertising; and signs attached to or painted on vehicles parked
16 and visible from the public right-of-way, unless said vehicle is used in the normal
17 day-to-day operations of the business.
18

19 **projecting sign** – Any sign affixed to a building or wall in such a manner that its
20 leading edge extends more than six (6) inches beyond the surface of such building
21 or wall.
22

23 **Reader Board** – A portion of a sign containing changeable copy intended to
24 convey a message concerning products or services available on the premises on
25 which the sign is located. Excluded from this definition are signs displaying the
26 price of gasoline available on premise or announcements concerning or promoting
27 community or non-profit events.
28

29 **Electronic Reader Board** – a reader board that is capable of displaying
30 visual words, symbols, figures or images that can be electronically or
31 mechanically changed by remote or automatic means.
32

33 **roof sign** – Any sign affixed to or erected and constructed wholly on and over the
34 roof of a building or supported by the roof structure. The roof structure shall also
35 include fake roof structures.
36

37 **sidewalk sign** – A freestanding sign of six (6) square feet or less designed to
38 convey information to pedestrian rather than vehicular traffic. Such sign shall not
39 extend out from the building line more than three (3) feet and in no case nearer to
40 the curb than six (6) feet; and provided further that no sign having sharp or
41 dangerous projections shall be permitted.
42

1 **street frontage** – The lineal distance for which a building fronts on lot line of a
2 zone lot adjoins a public street, from one lot line intersecting said street to the
3 furthest distant lot line intersecting the same street.
4

5 **temporary sign** – Any sign that is used only temporarily and is not permanently
6 mounted.
7

8 **Video Board** – an electronic sign capable of creating the effect of motion or
9 animation
10

11
12 **wall sign** – Any sign attached parallel to, but within six inches of, a wall, or erected
13 and confined within the limits of an outside wall of any building or structure, which
14 is supported by such wall or building, and which displays only one sign surface.
15

16 **window sign** – Any sign, pictures, symbol, or combination thereof, designed to
17 communicate information about an activity, business, commodity, event, sale, or
18 service, that is placed inside a window or upon the window panes or glass and is
19 visible from the exterior of the window. This definition shall not include the display
20 of merchandise provided that such display does not contain any advertising.
21

22 **Significantly eroding areas** – Areas that erode two feet or more per year.
23

24 **Site plan** – A plan, prepared to scale, showing accurately and with complete dimensioning,
25 the boundaries of a site and the location of all buildings, structures, uses, and principal site
26 development features proposed for a specific parcel of land.
27

28 **Sketch plan** – A conceptual plan prepared in accordance with the provisions of the Town
29 of Easton Subdivision Regulations, whose purpose is to provide the applicant with an
30 opportunity to resolve problems early in the development review process and to make
31 necessary modifications and revisions prior to incurring the expense of preparing a
32 preliminary and final plat.
33

34 **Small Cell Facility** - A facility designed to provide wireless voice, data and/or image
35 transmission in concentrated areas that meets both of the following qualifications:
36

37 (a) Each antenna could fit within an enclosure of no more than three (3) cubic
38 feet in volume; and
39

40 (b) All other wireless equipment associated with the facility is cumulatively no
41 more than twenty-eight (28) cubic feet in volume. The calculation of equipment
42 volume shall not include electric meters, concealment elements,
43 telecommunications demarcation boxes, grounding equipment, power transfer

switches, cut-off switches, and vertical cable runs for the connection of power and other services.

Small shrub – A shrub that, when mature, reaches a height no greater than six feet.

Small Wind Energy System – A wind energy conversion system consisting of a single wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 20 kW and whose primary intent is to generate power to on-site consumption.

Solar Panel, Array – Ground mounted panels in excess of 100 square feet.

Solar Panel, Roof-Mounted – Solar panels that are structurally mounted to the roof of a building or structure

Special Event – Periodic temporary or recurring events such as food sales for the benefit of a non-profit organization, races, and gatherings which have the potential to attract to private property, either by direct participation, or as spectators/customers, a large gathering of people.

The following are not special events for the purposes of this chapter:

- a. Events conducted entirely within dedicated rights-of-way where event sponsors have secured all necessary permits, if applicable, from the appropriate authority (i.e. State Highways, County Roads Dept., Town Public Assembly Permits, etc.)
- b. Events conducted entirely within a building for which all necessary permits have been secured; provided, that the events are within the scope of the use for which the building was permitted;
- c. Events conducted at fairgrounds or events conducted at parks or outdoor spectator facilities for which the appropriate permit has been obtained, provided that the outdoor event is within the scope of the permit;
- d. An event which has **all** of the following characteristics:
 1. Has no live amplified music,
 2. Does not involve an admission fee either for participants or spectators,
 3. Is a one (1) day event conducted between the hours of seven a.m. and eleven p.m.,
 4. Does not involve overnight sleeping of participants or spectators,

5. Is not conducted more than one (1) calendar day in a thirty (30) day period,
6. Is not accompanied by newspaper, radio or television advertising or printed leaflets distributed to the public at large, and
7. Does not involve the sale of food or beverages.

Special Exception – A grant of a specific use that would not be appropriate generally or without restriction and shall be based upon a finding that certain conditions governing special exceptions as detailed in this Code exist, that the use conforms to the Comprehensive Plan for the Town of Easton and is compatible with the existing neighborhood.

Special Medical Treatment Facility – A facility that has special equipment and technicians to provide unique or specialized services for diagnosis or treatment of patients.

Special Office Use – The use of certain historically and architecturally significant structures for offices under the conditions outlined in Section 28 – 1007.4 (A) 6 of this Code.

Spoil pile – The overburden and reject materials as piled or deposited during surface mining.

Soil Conservation and Water Quality Plans – Land-use plans for farms that show farmers how to make the best possible use of their soil and water resources while protecting and conserving those resources for the future. It is a document containing a map and related plans that indicate:

- a. How the landowner plans to treat a farm unit;
- b. Which best management practices the landowners plans to install to treat undesirable conditions; and
- c. The schedule for applying those Best Management Practices.

Stadium – A large, oval, round, or U-shaped, usually open structure, used for sports and other entertainment events, with tiers of seating for thousands of spectators (as differentiated from merely erecting bleachers at a park or ball field).

Steep slopes – means slopes of 15 percent or greater incline.

Storage Trailers – Refers to the use of any trailer portion of a tractor-trailer, cargo box, or similar device that is parked or placed on site for the purpose of long-term storage of goods and inventory. The term shall not include Portable on Demand Storage (PODS) units, unless said PODS are located on site longer than specified for that use. It also does not

1 include such things as travel trailers, boat trailers, campers or recreational vehicles, or any
2 otherwise legally permitted storage sheds.
3

4 **Story** – That portion of a building included between the surface of any floor and the
5 surface of the floor next above it, or if there be no floor above it, the space between such
6 floor and the ceiling above it. A basement shall be counted as a story if its ceiling is over
7 six (6) feet above the average level of the finished ground surface adjoining the exterior
8 walls of such story, or if it is used for business or dwelling purposes.
9

10 **Street** – A public way which provides a means of access to abutting property. The term
11 shall include road, street, avenue, drive, circle, highway, or similar term. **More specific**
12 **street definitions may be found in the Town of Easton's Subdivision Regulations.**
13

14 **Street line** – The line dividing a street from a lot.
15

16 **Structure** – building or construction materials, or a combination of those materials that are
17 purposely assembled or joined together on or over land or water. Structure includes a
18 temporary or permanent fixed or floating pier, piling, deck, walkway, dwelling, building,
19 boathouse, platform, gazebo, or shelter for the purpose of marine access, navigation,
20 working, eating, sleeping, or recreating. Among other things, structures include buildings,
21 mobile homes, walls, billboards, poster panels and fences in excess of forty-eight (48)
22 inches in height.
23

24 **Subdivision** – The division of a lot, tract, or parcel of land into two (2) or more lots, plats,
25 sites, or other divisions of land for the purpose, whether immediate or future, of sale or of
26 building development. It includes resubdivision and, when appropriate to the context,
27 relates to the process of resubdividing or to the land or territory subdivided.
28

29 **Substantial alteration** – any repair, reconstruction, or improvement of a principal
30 structure, where the proposed footprint equals or exceeds 50 percent of the existing
31 principal structure.
32

33 **Tavern** (See also **bar and Restaurant, nightclub**) – An establishment serving alcoholic
34 beverages in which the principal business is the sale of such beverages at retail for
35 consumption on the premises and where sandwiches and snacks are available for
36 consumption on the premises.
37

38 **Temporary use** – A use intended to be of limited, short-term duration (generally less than
39 one year) with the potential to pose detrimental impacts on surrounding properties if
40 allowed to proceed without Town review. Such impacts potentially cannot be determined
41 except on a case-by-case review. The duration of a temporary use varies and is relative to
42 the activity proposed. It may range from a few hours for a sale or special event to several
43 years for a construction office or staging area at a major construction project.

1
2 **Tidal Wetlands** – State wetlands that are defined as any land under the navigable waters
3 of the state below the Mean High Water Line, affected by the regular rise and fall of tide,
4 and private wetlands that defined as any land not considered "state wetlands" bordering or
5 lying beneath tidal waters, that is subject to regular or periodic tidal action and supports
6 aquatic growth. Private wetlands includes wetlands transferred by the state by a valid
7 grant, lease, patent, or grant confirmed by Article 5 of the Declaration of Rights of the
8 Constitution to the extent of the interest transferred. The term "regular or periodic tidal
9 action" means the rise and fall of the sea produced by the attraction of the sun and moon
10 uninfluenced by the wind or any other circumstance.

11
12 **Tiny House** - A dwelling that is four hundred (400) square feet or less in floor area
13 excluding lofts.

14
15 **Loft** - A floor level located more than thirty (30) inches above the main floor, open
16 to the main floor on one or more sides with a ceiling height of less than six feet
17 eight inches (6'8") and used as a living or sleeping space.

18
19 **Topography** –The existing configuration of the earth's surface including the relative relief,
20 elevations, and position of land features.

21
22 **Tower** (See also **antenna**) – A structure on which is attached antennas intended for
23 transmitting or receiving television, radio, telephone communications.

24
25 **Townhouse** – See Definition under Middle Housing Units.

26
27 **Town** – The Town of Easton.

28
29 **Town Engineer** – The Easton Engineer or his or her designee.

30
31 **Town Planner (or Planner)** – The designee of the Town Manager charged with the
32 responsibility for administering the Town's planning and zoning programs.

33
34 **Triplex, stacked** - See Definition under Middle Housing Units.

35
36 **Variance** – A modification only of density, bulk, or area requirements where such
37 modification will not be contrary to the public interest and where owing to conditions
38 peculiar to the property, and not the results of any action taken by the applicant, a literal
39 enforcement of this Code would result in unnecessary hardship or practical difficulty.

40
41 **Warehouse** – A building used primarily for the storage of goods and materials.

1 **Warehousing and distribution** – A use engaged in storage, wholesale, and distribution
2 of manufactured products, supplies, and equipment, but excluding bulk storage of materials
3 that are inflammable or explosive or that create hazardous or commonly recognized
4 offensive conditions.

5
6 **Wash plant** – A facility where sand and gravel is washed during processing.
7

8 **Wayside Stand** – A structure of 400 square feet or less of floor area used seasonally for
9 the display and sale of locally grown agricultural products and containing no space for
10 customers within said structure.

11
12 **Wetland** – An area that is inundated or saturated by surface water or groundwater at a
13 frequency and duration sufficient to support, and that, under normal circumstances, does
14 support, a prevalence of vegetation typically adapted for life in saturated soil conditions,
15 commonly known as hydrophytic vegetation.

16
17 **Winery** – The use of property for the growing, fermentation, and/or processing of grapes,
18 berries, and other fruits grown on or off premises for the production of wine or juice;
19 packaging, bottling, re-fermentation of still-wine into sparkling wine, and storage of wine;
20 the sample and sale of—at wholesale or retail—wine, gifts, food, and associated activities
21 and related items; promotional events, guided tours, tasting rooms and festivals.
22

23 **Yard** – Any open space located on the same lot with a building, unoccupied and
24 unobstructed from the ground up, except for accessory buildings, or such projections as are
25 expressly permitted in these regulations. The minimum depth or width of a yard shall
26 consist of the horizontal distance between the lot line and the nearest point of the
27 foundation wall of the main building. (See Figure 1.3).
28

29 **Yard, Front** – A yard extending across the front of a lot between the side lot lines and
30 being the minimum horizontal distance between the street line and the main building or
31 any projections thereof. On corner lots, the front yard shall be considered as parallel to all
32 streets.
33

34 **Yard, rear** – A yard extending across the full width of the lot and lying between the rear
35 lot line and the nearest line of the building. Rear-yard depth shall be measured at right
36 angles to the rear line of the lot.
37

38 **Yard, side** – A yard between the side line of the lot and the nearest line of the building
39 and extending from the front yard to the rear yard, or in the absence of either of such front
40 or rear yards, to the front or rear lot lines. Side-yard width shall be measured at right angles
41 to side lot lines.
42

1 **Zero lot line** – The location of a building on a lot in such a manner that one or more of the
2 building's sides rests directly on a lot line.
3

4 **Zone** – A portion of the territory of the Town, exclusive of streets, alleys, and other public
5 ways, within which certain uses of land, premises, and buildings are not permitted and
6 within which certain yards and open spaces are required and certain height limits are
7 established for buildings.
8

9 **Zoning Administrator (or Zoning Inspector)** – The governmental official of the Town
10 of Easton charged with administering the Easton Zoning Code or his or her designee.